

# **EXHIBIT Z**

**BURST.COM V. MICROSOFT****‘995 CLAIM CHARTS**  
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The following claim charts compare certain independent claims and the associated dependent claims of U.S. Patent No. 4,963,995 (“the ‘995 patent”), assigned to Burst.com, to Microsoft’s Windows Media 9 Series Platform.

**Independent Claim 1 and certain of its dependent claims:**

Claim 1	Claim Support	Windows Media 9 Series Platform
An audio/video transceiver apparatus comprising:	<p>“The typical VCR has its own tuner-receiver ...” (1:19-20).</p> <p>“Referring to the drawing by characters of reference, FIGs. 1 and 2 illustrate an improved audio/video recorder transmitter-editor 10 (the “VCR-ET”) comprising an audio/video recording unit (AVRU) 11, a video control unit (VCU) 12, memory 13, digital control unit (DCU) 14, video line or camera input line 15, TV RF tuner 16, auxiliary digital input port 17, fiber optic input/output port 18, RF modulator 19, RGB converter with synchronizer (sic) 21, and an audio/video</p>	<p>The “Microsoft Windows Media Resource Kit” discusses the phases of streaming<sup>1</sup> media as employed by the Windows Media 9 Series Platform, which transmits and receives signals. As to “capturing,” or receiving signals, the Resource Kit states, “The capture phase is where you pull audio and video from its source and onto the computer using a capture card...” And, in discussing transmit signals, the Resource Kit states, “Distribution [is] delivering the compressed digital media over the network or onto storage media such as CD-ROM, DVD, or floppy disk.” (Tricia Gill and Bill Birney, Microsoft Windows Media Resource Kit at 7-8 (Microsoft Press (2003); a true and correct copy of pertinent</p>

<sup>1</sup> “The IBM Dictionary of Computing” defines “stream” as “(1) To send data from one device to another.” It further defines “streaming” as “(1) A condition in which a device remains in a transmit state for an abnormal length of time.” Also, The IBM Dictionary defines “stream mode” as “A method of sending and receiving data in which records are defined as a stream of data without boundaries.” (The IBM Dictionary of Computing, at 654 (International Business Machines Corp. 1994)). The “Microsoft Windows Media Resource Kit” defines “streaming” as “A method of delivering digital media across a network in a continuous flow. The digital media is played by client software as it is received. Typically, streaming makes it unnecessary for users to download a file before playing it.” (Tricia Gill and Bill Birney, Microsoft Windows Media Resource Kit at 512 (Microsoft Press (2003); a true and correct copy of pertinent portions of this Resource Kit attached hereto as Exhibit A.).

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	<p>frequency or television channel. Selector switch 35 is provided to select either video input line 15 or TV RF tuner 16 as an input signal source to AVRU 11. Auxiliary digital input port 17 is employed to receive any acceptable digital signal such as computer-generated video signal or as may be supplied by another VCR-ET. This signal, for example, may be an RGB video signal such as that delivered to computer monitors, or it may be a digitized audio signal. (As mentioned above, an RGB signal is a signal which communicates the strength of the red, green and blue color components for the pixels that make up each video frame.) Switch 36 selects whether the digital video/audio input signal is chosen from auxiliary digital input port 17. Switch 36 supplies the selected signal to high speed data bus 34 which carries the signals in digital form. Fiber optic port 18 incorporates a fiber optic transceiver/receiver...The incorporation of fiber optic port 18 in the VCR-ET provides a capability for receiving audio/video signals from or delivering audio/video signals to the fiber optic line such as a fiber optic telephone line. ... " (7:23-55)."</p> <p>VCR, video camera (both analog and digital), video tape recorder (VTR), video player, or NTSC television signals. You can also capture screens directly from your desktop, and insert script commands while encoding. The encoder supports sourcing from most common file types such as AVI and WAV. The encoder works with most capture devices that have Windows Driver Model (WDM) drivers. New to this release is the ability to capture from ATI Radeon cards that support video capture. In addition, most USB cameras are supported." (Jennifer Winters, Windows Media 9 Series "Getting Started with Windows Media Encoder," 1-2 (November 2002)(emphasis in original)(a true and correct copy is attached hereto as Exhibit C).</p> <p>Referring back to the "create it, deliver it, play it" figure at bottom of Exhibit B, page 5, the upper left hand corner of the figure shows "Live Content" having "Live Feed and "Live Encoder" followed by an arrow pointing toward the Windows Media Encoder 9 Series. This "Live Feed" and "Live Encoder" are depicted as the input devices of a video camera and computer, regarding which the Exhibit B White Paper states that "[d]uring a live event, content ... is ... captured from a</p>
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